

ATTACHMENT III

(to Defendant's Position)

Reed, Michael

From: Jamisen Etzel <jetzel@carlsonlynch.com>
Sent: Monday, October 31, 2016 1:04 PM
To: Williamson, Holly
Cc: Gary Lynch; Reed, Michael; Dumbacher, Robert; Pierce, Susan
Subject: RE: Proposed motion per Court's recent order
Attachments: Joint Motion - CLSKC edits 10.31.16.docx

Holly,

I understand your interest in avoiding expenses until the motions are decided. However, we believe it is unfair and prejudicial to halt all discovery before we get any substantive information from your side. In an effort to compromise, we are willing to limit our current requests to one 30(b)(6) deposition and some select types of documents. We proposed a meet and confer regarding our document requests and will be receptive at this stage to limiting the scope of our requests so that the burden of responding should be minimal; we just want some information to help facilitate and guide the deposition.

I've drafted a revised joint motion which reflects our proposal. Please let me know if you'll agree to this plan, or if we'll need to submit a plan with competing proposals to the Court.

Best,

JAMISEN A. ETZEL
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From: Williamson, Holly [<mailto:hwilliamson@hunton.com>]
Sent: Thursday, October 27, 2016 5:04 PM
To: Jamisen Etzel <jetzel@carlsonlynch.com>
Cc: Gary Lynch <glynch@carlsonlynch.com>; Reed, Michael <mreed@hunton.com>; Dumbacher, Robert <RDumbacher@hunton.com>; Pierce, Susan <spierce@hunton.com>
Subject: Proposed motion per Court's recent order

Jamisen and Gary,

Please review and let me know what you think. It seems to make sense that we not engage in class discovery or pay for experts until we know the outcome of the pending motions.

Thanks,

Holly



Holly Williamson

Partner

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Defendant.

§ 100.100

Chief Magistrate Judge Maureen P. Kelly

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Collective Action Certification,² the parties agree to meet, confer and propose an appropriate joint Case Management Scheduling Order. The parties respectfully submit that proceeding in this manner will conserve both judicial and party resources.

Respectfully submitted,

**CARLSON LYNCH SWEET
KILPELA & CARPENTER, LLP**

By: /s/ Gary F. Lynch

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² (Assuming Defendant's motion for summary judgment is denied at least in part).

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was filed electronically on this ____ day of _____, 2016, and will be served on all counsel of record via the Court's electronic filing system (CM/ECF). Parties may access this filing through the Court's system.

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